IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Crl.Rev.Pet.No. 841 of 1999
ORDER NO. H.4386/98 DATED 2-8-1999 OF THE REVENUE DIVISIONAL OFFICER, CHENGANNUR

REVN. PETITIONER:

SANTHANAVALLY, WIFE OF LATE SRI. BHASKARAN CHAKKALAMURIYIL, MUTHUKULAM.

BY ADV. SRI.A.N.RAJAN BABU
SMT.K.SUNITHA VINOD

RESPONDENTS:
----
1. REVENUE DIVISIONAL OFFICER, CHENGANNUR.

2. DAMODHARAN BHASKARAN, KARUTHEDATH HOUSE MUTHUKULAM.

BY ADV. SRI.C.S.NARAYANAN

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.3796 OF 1999 IN CRL.R.P.NO. 841 OF 1999

DISMISSED.

28-3-2007 SD/-K.R.UDAYABHANU, JUDGE

TRUE COPY

P.S.TO JUDGE

K.R. UDAYABHANU, J.

CRL.R.P.NO.841 of 1999

DATED THIS THE 28th day of March 2007

ORDER

The revision petitioner has sought for setting aside the order of the Sub Divisional Magistrate directing him to cut and remove the branches of two trees extending over the property of the 2nd respondent. The complaint that the 2nd respondent cannot cultivate the wet land owned by him is incorrect and that the land has been converted into dry land and coconut cultivation is already in existence, it is contended.

I find that there is no merit in the contention of the revision petitioner . It is admitted that the branches of trees are overhanging the properties of the 2nd respondent. The revision petitioner has no right to have the branches of the trees spread over the property of the 2nd respondent. In the circumstances, the revision petition is dismissed.

K.R.UDAYABHANU, JUDGE

ks.

K.R.UDAYABHANU, J

==========

CRL.R.P.NO.841 OF 1999

ORDER

28-3-2007

==========